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Docket No.: ST97001CII (209-US-CI)

REMARKS

Claims 1, 2, 5-9, 11, 12, 15, 17-23, 26-29, 39-42 and 44 are pending in this application and Applicants have amended claim 9 and cancelled claim 14. Applicants are also traversing the claim rejections. No inference regarding the cancelled claim should be made other than the claim was cancelled in order to expedite the issuance of the application. Applicants believe that no new matter has been added by this response.

Response to Claim Objections

The Examiner objected to claim 9 for informalities. Applicants have amended claim 9 to address the informalities and now believe that claim 9 is in condition for allowance.

Claim 14 was objected to by the Examiner as depending from a rejected base claim, but would be allowable if rewritten in independent form. Applicants have amended independent claim 9 with the allowable subject matter from dependent claim 14 and cancelled claim 14.

Therefore all claim objections have been addressed by the Applicants and the claims are in condition for allowance.

Response to 35 U.S.C. §101 Rejection

The Examiner rejected claims 9, 11 12, and 39-42 under 35 U.S.C §101 because the claimed invention was directed to non-statutory subject matter.

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Regarding claims 9, 11, and 12, the Examiner stated that "although the claims are method claims, a 101 process/method must be tied to another statutory class (such as a particular apparatus or transform under laying subject matter (such as an article or materials) to a different state or thing." This rejection is now moot in view of the allowable subject matter being placed in independent claim 9 from dependent claim 14 making claims 9, 11 and 12 in condition for allowance.

Regarding claims 39-42, the Examiner found paper to be non-functional descriptive material. Applicants point out that just as computer readable medium or media may include magnetic and optical material, such as hard disk drives, floppy disks, and CDs/DVDs, there is a long history of paper being used as computer readable media. Examples of paper include paper tape with holes and paper punch cards.

As late as 1983, I have had personal experience with punch cards (paper) that contained computer instructions that were used at the University of Michigan in Ann Arbor, Michigan, Delta Community College in Bay City, Michigan, and Saginaw Valley State University in Saginaw, Michigan. Further, I have personally programmed machines with paper punch tape. I have also scanned in basic and LOGO programs from magazines (paper) and executed the programs on a personal computer. Thus, paper containing instructions to program a computer is no different than CDs/DVDs or magnetic media containing computer instructions. Therefore, Applicants believe claims 39-42 and 44 are in condition for allowance.

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Allowable Subject Matter

The Examiner indicated that claims 1, 2, 5-8, 15, 17-23, and 26-29 are allowable over the prior art reference and that claim 14 contained allowable subject matter but was dependent from a rejected basic claim.

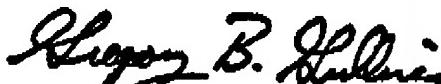
Applicants thank the Examiner for such findings.

CONCLUSION

In view of the foregoing discussion and amendments, Applicants respectfully submit that claims 1, 2, 5-9, 11, 12, 15, 17-23, 26-29, 39-42 and 44 as now presented are in a condition for allowance, for which action is earnestly solicited.

Respectfully submitted,  
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